

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LAP-SUN CHAN,

Plaintiff,

-against-

DAN CIMPONERIU, M.D.,

Defendant.

22-CV-3749 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

On May 11, 2022, the Court denied Plaintiff leave to proceed *in forma pauperis* (IFP) and ordered him to pay the \$402.00 in filing fees within 30 days. That order specified that failure to comply would result in dismissal of the complaint.

On May 20, 2022, the order was returned as undeliverable to the address Plaintiff had provided with his complaint.¹ Plaintiff has not complied with the Court's order and has failed to notify the Court of a change of mailing address. Accordingly, Plaintiff's complaint is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf.*

¹ In *Chan v. Ramdhaney*, No. 22-CV-3708 (S.D.N.Y. filed May 6, 2022) and *Chan v. Medicare*, No. 22-CV-3748 (S.D.N.Y. filed May 9, 2022), Plaintiff listed the same Brooklyn post office box that he lists in this action, P.O. Box 788442, Brooklyn, NY 11238. Orders that were issued in both cases, directing Plaintiff to pay the filing fees, were returned as undeliverable. However, on May 23, 2022, Plaintiff paid the filing fees in *Chan v. Ramdhaney*, No. 22-CV-3708. He did not submit a change of address.

Coppedge v. United States, 369 U.S. 438, 444–45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: July 8, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge